ESTTA Tracking number:

ESTTA411908 05/31/2011

Filing date:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92044624
Party	Plaintiff J. Christopher Carnovale
Correspondence Address	MICHAEL A GROW ARENT FOX PLLC 1050 CONNECTICUT AVENUE NW WASHINGTON, DC 20036-5339 UNITED STATES henrye@arentfox.com, TMDocket@arentfox.com
Submission	Motion to Extend
Filer's Name	Michael A. Grow
Filer's e-mail	henrye@arentfox.com, grow.michael@arentfox.com, TMDocket@arentfox.com
Signature	/Michael A. Grow/
Date	05/31/2011
Attachments	Carnovale-Brand Exp motion.pdf ( 2 pages )(67773 bytes )

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

J. CHRISTOPHER CARNOVALE :

Petitioner :

v. : Cancellation No. 92044624

THE BRAND EXPERIENCE LLC:

Registrant

# PETITIONER'S MOTION FOR POSTPONMENT OF TESTIMONY OPENING

Petitioner hereby moves that the opening of testimony be postponed for a period of thirty (30) days, and that all dates be reset as follows:

Testimony period for Petitioner to close

(opening thirty days prior thereto) July 31, 2011

Testimony period for Registrant to close

(opening thirty days prior thereto) September 29, 2011

Rebuttal testimony period to close

(opening fifteen days prior thereto) November 13, 2011.

The Board's order of April 22, 2011, required Registrant to fully answer Petitioner's discovery requests. Petitioner has reviewed the answers provided by Registrant and does not believe that they comply with the order of the Board. The additional time is needed to determine whether to renew the request for judgment or to go forward with the proceeding.

#### J. CHRISTOPHER CARNOVALE

By:

Michael A. Grow Alec P. Rosenberg Arent Fox LLP

1050 Connecticut Avenue, NW Washington, DC 20036-5339 Telephone: (202) 857-6000

May 31, 2011

Attorneys for Petitioner

#### **CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing is being served upon Mark Schmidt of The Brand Experience LLC at 1521 Alton Road, #8, Miami Beach, Florida 33139 by first class mail, postage prepaid, on May 31, 2011.